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MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

ANNUAL REPORT

1981

MR
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1981

MEDIATION CASES RECEIVED IN 1981

CASE DISPOSITIONS AS OF JUNE 30, 1981

PUBLIC SECTOR251

Other than Police/Fire

Settled 187

Settled in mediation: 181

Settled after assignment to factfinding: 6

Open 53

Still in mediation: 42

Still in factfinding: 8

Still in post-factfinding mediation: 2

Transferred to referral arbitration: 1

Police/Fire

Settled. 8

Open 3

PRIVATE SECTOR. 30

Settled28

Open 2

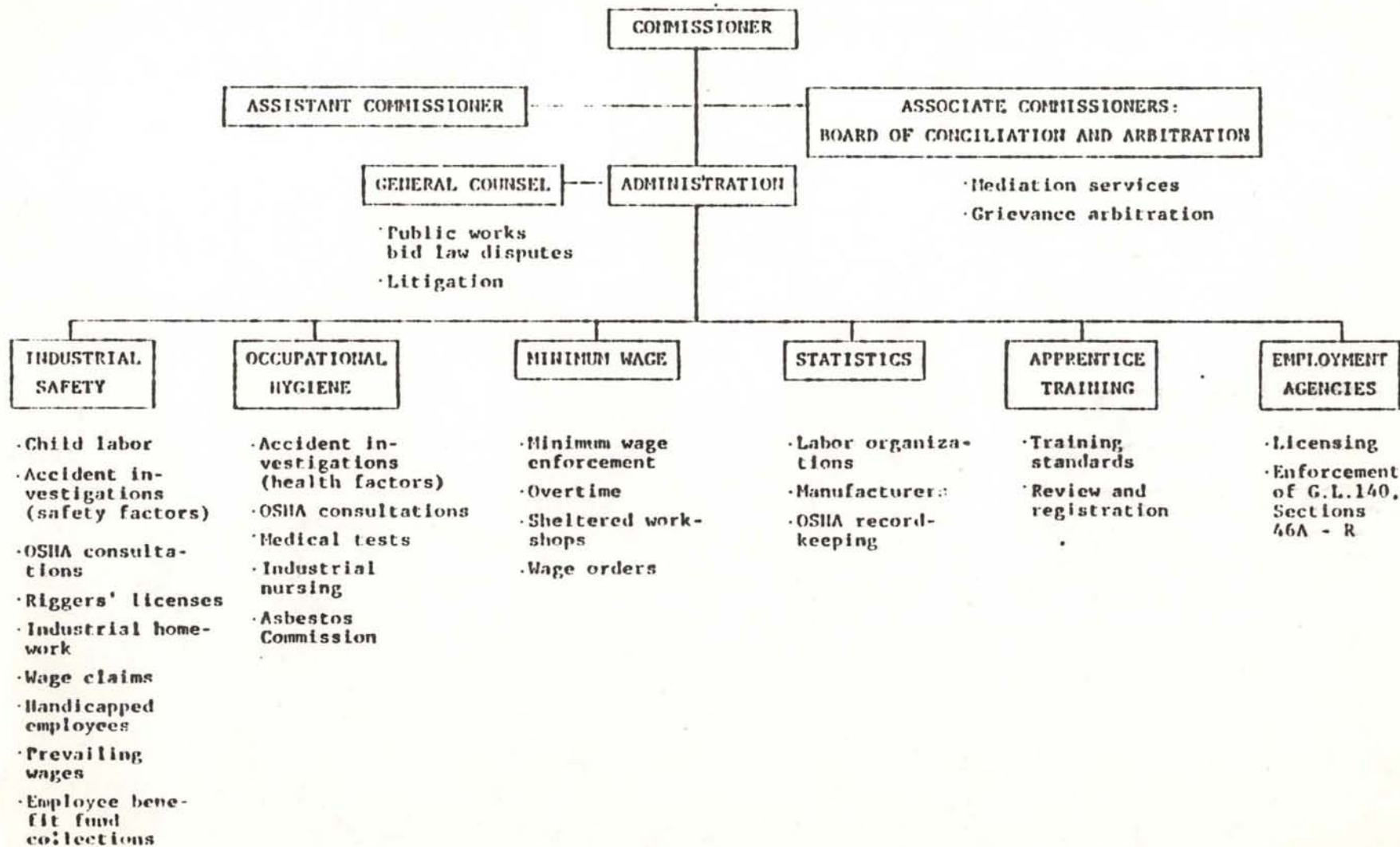
TOTAL CASES281

1981 DISPOSITION OF ARBITRATION CASES FILED THROUGH JUNE 30, 1981

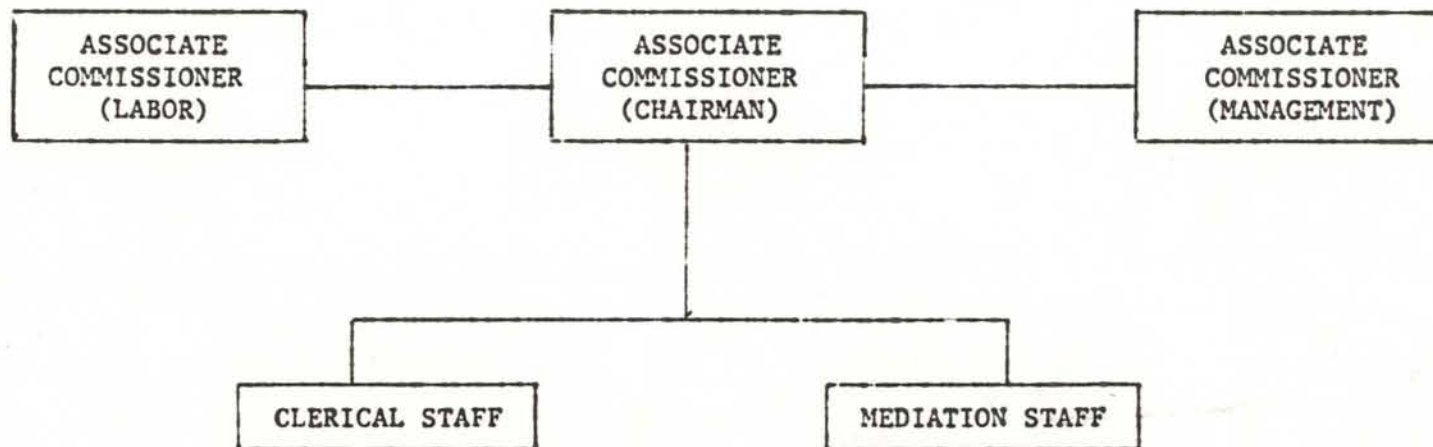
<u>Cases pending in 1981</u>		<u>Disposition as of June 30, 1981</u>					
		Decided	Settled/ withdrawn	Referral Arbitration	Stipulated Award ¹	Other ²	Carried into 1982
Filed in 1978:	5	1	2	-	-	-	2
Filed in 1979:	1	-	1	-	-	-	-
Filed in 1980:	50	26	14	1	2	-	7
Filed in 1981:	202	44 ³	63	6	11	-	78
TOTAL DISPOSITIONS BY CATEGORY--1981		71	80	7	13	-	87

1. "Stipulated Award": Agreement reached by the parties during a pre-hearing conference or after the hearing has begun. This is distinguished from those cases settled or withdrawn without Board participation. The category of "stipulated award" first appears in the records in 1980. Before 1980 these cases were recorded under "settled/withdrawn."
2. E.g., American Arbitration Association, Federal Mediation and Conciliation Service, Massachusetts Commission against Discrimination, private arbitrators.
3. Includes one private sector dispute in conciliation which the parties submitted to the Board for an interest award (C 8-1981, Lowell Day Nursery).

MASSACHUSETTS DEPARTMENT OF LABOR AND INDUSTRIES



MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION
ORGANIZATIONAL CHART



MASSACHUSETTS BOARD OF CONCILIATION AND ARBITRATION

STATUTORY REFERENCES

M.G.L. Chapter 23:	Department of Labor and Industries
M.G.L. Chapter 149:	Labor and Industries
M.G.L. Chapter 150:	Conciliation and Arbitration of Labor Disputes
M.G.L. Chapter 150E:	Labor Relations: Public Employees

NARRATIVE

The function and purpose of the Board of Conciliation and Arbitration is to facilitate peaceful collective bargaining by providing mediation services and grievance arbitration in the public and private sectors, and factfinding procedures in the public sector.

Through Fiscal Year 1981 the Board continued to have the authority to approve rules of the Department of Labor and Industries and to hear appeals from orders issued by the Commissioner of Labor and Industries.

The mediation and factfinding programs are designed to assist in the resolution of contract negotiation impasses. Factfinding is limited to the public sector, while mediation in-

cludes both public and private sectors. The arbitration program is available for resolving both public and private disputes¹ arising during the life of a collective bargaining agreement. Mediation services, which are available to the Commonwealth and all of its political subdivisions, as well as to private industry, were provided by a staff of twelve mediators.

During Fiscal Year 1981 the three Associate Commissioners heard grievance arbitration cases. In May of 1980 Section 7 of Chapter 23 was amended by Chapter 146 of the Acts of 1980. This change increased the efficiency of the agency by allowing a non-monitor to hear cases. A small number of referral arbitrations and all factfinding are done by outside experts, designated and supervised by the Board.

During Fiscal 1981 Edward Sullivan replaced Paul McCarthy as Chairman, Richard Wood replaced John Connors as the Management Representative, and Donna Sirutis replaced John McKinnon as the Labor Representative.

Mediators were Douglas Botts, Richard Boulanger, Robert Browning, Angelo Colella, Walter Diehl, William Doherty, George Fitzpatrick, Roberta Golick, Elliot Klitzman, James Leydon, John Mark, and Diane Zaar.

1. During 1981 the Board received 112 private sector cases and 89 public sector cases.

Clerical and administrative services were provided by Irene McGinn, Stephanie Bassett, and Ruth Shy.

Sherrie Talmadge provided research assistance.

REVENUES

Chapter 790 of the Acts of 1977 established a filing fee of \$100.00, of which \$50.00 shall be paid by each party, not to exceed \$100 for all arbitrations between the parties during a twelve month period.

Pursuant to this statute, the sum of \$6,050.00 was paid into the General Fund in Fiscal 1981.